

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(EASTERN DIVISION)

In re:

EDWARD F. AMENDOLA, SR.,

Debtor.

Chapter 13

Case No. 12-17293-JNF

**LIMITED OBJECTION BY PEOPLES FEDERAL SAVINGS BANK TO DEBTOR'S
THIRD AMENDED CHAPTER 13 PLAN AND RESERVATION OF RIGHTS**

NOW COMES Peoples Federal Savings Bank successor-by-merger to Brookline Co-operative Bank (the "Bank"), a secured creditor of Edward F. Amendola, Sr. (the "Debtor"), and hereby objects on a limited basis (the "Limited Objection") to the Debtor's Third Amended Chapter 13 Plan filed November 17, 2014 [Dkt. No. 110] (the "Plan") because the Plan, which contemplates a sale of the Debtor's residence, must (i) accurately account for and provide for full payment of the Bank's secured claims and (ii) comply with 11 U.S.C. §§ 1322(b)(2) and (b)(5). Among other things, the Debtor's Plan currently understates the Bank's secured claims, and, as a result, it appears that the Plan is not confirmable. Further, the Bank fully reserves all rights with respect to the terms of the Debtor's proposed sale of his residence, including, without limitation, the listing price, the proposed purchase price and closing timeline.

As grounds for the Limited Objection, the Bank respectfully states as follows:

FACTUAL BACKGROUND

1. The Debtor and his non-debtor spouse, Jennifer Amendola ("Mrs. Amendola"; together with the Debtor, the "Borrowers"), are obligated to the Bank pursuant to the following documents: